

NATIONAL RESPONSE CENTER 1-800-424-8802

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Information released to a third party shall comply with any applicable federal and/or state Freedom of Information and Privacy Laws

Incident Report # 1016035

INCIDENT DESCRIPTION

*Report taken at 12:11 on 28-JUN-12

Incident Type: PLATFORM

Incident Cause: OTHER

Affected Area: BAYOU CARLIN

The incident occurred on 28-JUN-12 at 10:30 local time.

Affected Medium: WATER BAYOU CARLIN

SUSPECTED RESPONSIBLE PARTYOrganization: HILCORP ENERGY
JEANERETTE, LA 70544

Type of Organization: PRIVATE ENTERPRISE

INCIDENT LOCATIONBAYOU CARLIN County: ST. MARY
City: GARDEN CITY State: LA
Latitude: 29° 40' 51" NLongitude: 091° 34' 40" W
PLATFORM INCIDENTRELEASED MATERIAL(S)

CHRIS Code: OIL Official Material Name: OIL: CRUDE

Also Known As:

Qty Released: .5 BARREL(S)

Qty in Water: .5 BARREL(S)

DESCRIPTION OF INCIDENT

CALLER STATED DUE DECK DRAINAGE THERE WAS A SPILL OF CRUDE IN TO BAYOU CARLIN.

INCIDENT DETAILS

Platform Rig Name: BAYOU CARLIN PLATFORM

Platform Letter:

Location Area ID:

Location Block ID:

OCSE Number:

OCSP Number:

State Lease Number:

Pier Dock Number:

Berth Slip Number:

---SHEEN INFORMATION---

Sheen Color: RAINBOW

Sheen Odor Description:

Sheen Travel Direction:

Sheen Size Length: 20 FEET

Sheen Size Width: 30 FEET

---WATER INFORMATION---

Body of Water: BAYOU CARLIN

Tributary of:

Nearest River Mile Marker:

Water Supply Contaminated: UNKNOWN

DAMAGES

Fire Involved: NO Fire Extinguished: UNKNOWN

INJURIES: NO Hospitalized:

FATALITIES: NO Empl/Crew:

EVACUATIONS: NO Who Evacuated:

Damages: NO

Empl/Crew:

Passenger:

Passenger:

Occupant:

Radius/Area:

Length of

Direction of

Closure TypeDescription of ClosureClosureClosure

Air: N

Road: N

Waterway: N

Major
Artery: N

9679749

SPILL CASE
TRANSFERRED
FROM
USCG TO
EPA

Track: N

Passengers Transferred: NO
Environmental Impact: UNKNOWN
Media Interest: NONE Community Impact due to Material:

REMEDIAL ACTIONS

BOOMS APPLIED, ABSORBENTS APPLIED, SECURED OPERATIONS, CONTRACTOR HAS BEEN HIRED

Release Secured: YES
Release Rate:
Estimated Release Duration:

WEATHER

Weather: UNKNOWN, °F

ADDITIONAL AGENCIES NOTIFIED

Federal: USCG SECTOR MORGAN CITY
State/Local:
State/Local On Scene:
State Agency Number:

NOTIFICATIONS BY NRC

CALCASIEU PARISH SHERIFF'S DEPT (CRIMINAL INTELLIGENCE UNIT)

28-JUN-12 12:17

DHS NOC (NOC)

28-JUN-12 12:17

DOT CRISIS MANAGEMENT CENTER (MAIN OFFICE)

28-JUN-12 12:17

FLD INTEL SUPPORT TEAM NEW ORLEANS (SUPERVISOR, FIST NEW ORLEANS)

28-JUN-12 12:17

JFO-LA (COMMAND CENTER)

28-JUN-12 12:17

LA DEPT OF ENV QUAL (MAIN OFFICE)

28-JUN-12 12:17

LA DEPT OF NATURAL RESOURCES (OFFICE OF CONSERVATION)

28-JUN-12 12:17

LA GOV OFFICE HS AND EMERGENCY PREP (MAIN OFFICE)

28-JUN-12 12:17

LA OFFICE OF GOV (MAIN OFFICE)

28-JUN-12 12:17

LA OFFICE OF PUBLIC HEALTH (MAIN OFFICE)

28-JUN-12 12:17

MSU MORGAN CITY (MAIN OFFICE)

28-JUN-12 12:19

NATIONAL INFRASTRUCTURE COORD CTR (MAIN OFFICE)

28-JUN-12 12:17

NOAA RPTS FOR LA (MAIN OFFICE)

28-JUN-12 12:17

LA STATE POLICE (MAIN OFFICE)

28-JUN-12 12:17

LA STATE POLICE (ANALYTICAL AND FUSION EXCHANGE)

28-JUN-12 12:17

ADDITIONAL INFORMATION

*** END INCIDENT REPORT # 1016035 ***

UNITED STATES COAST GUARD

Charged Party HILCORP ENERGY COMPANY	Enforcement Activity # 4374314	Originating Unit MSU MorganCty
Enforcement Summary	Violation Location BAYOU CARLIN/Tributary of East Cote Blanche Bay	
		Violation Date 27 Jun 2012

Summary of Current Violation(s)		
Law/Reg	Description	Recommended Penalty
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	\$5000
33 CFR 153.203	Failure of person in charge of vessel or facility to immediately notify the NRC of any discharge of oil or a hazardous substance.	\$15000

Narrative Overview of the Activity
<p>On June 27th, 2012 at approximately 1930, the Bayou Carlin Facility, owned and operated by Hilcorp Energy Company, was discovered to have discharged approximately 21 gallons of crude oil, resulting in a sheen on the water's surface. The facility representatives believe the crude oil in the water was attributed to removing a permanently moored barge from the facility, which had previously held the product in place. The original cause of the discharge is unknown.</p> <p>The product in the water was secured by containment boom, and E. S. and H. was hired by Hilcorp Energy Company to remove the affected vegetation surrounding the facility as well as the recoverable product in the water. Representatives from Hilcorp Energy Company stated they would continue maintenance and repairs as needed to prevent a reoccurrence. The remaining sheen dissipated naturally.</p> <p>A category C civil penalty is recommended due to Hilcorp Energy Company's failure to notify the National Response Center of an approximate 21 gallon crude oil discharge from the Bayou Carlin Facility and the lack of regard for the environment allowing the discharged crude oil to remain around their production facility for an extended amount of time. A penalty amount of \$20,000.00 is therefore recommended in accordance with COMDINST 16200.3A Table 1-D.</p>

Charged Party's Particulars			
Name HILCORP ENERGY COMPANY		Capacity in which Charged owner	Tax ID 760244942
Street 1201 Louisiana St Suite 1400			
City Houston	State TX	Zip 77002	Country US
Phone (Phone Number) 337-276-7676		Fax	

Involved Subjects			
Facility Name Bayou Carlin Facility	ID SYS-100082092	Role Acknowledged Spill/Discharge Source	
Waterway Name	Local Name	Description	

Activity # 4374314

BAYOU CARLIN	BAYOU CARLIN	
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Other Involved Parties (besides Charged Party)	
Name SIMAR, TROY	
Role Other	
Name HILCORP ENERGY COMPANY	
Role Subject of Investigation	Tax ID 760244942

Past Violation(s) History (most recent 50)				
Law/Reg	Description	Violation Date (Activity #)	Finding	Penalty
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	26 Feb 2012 (4252904)	Default	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	13 Feb 2012 (4246401)	Proved	\$3000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	22 Nov 2011 (4196764)	Proved	\$1000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	26 Apr 2011 (4004031)	Proved	\$250
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	23 Mar 2011 (3981520)	Proved	\$250
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	23 Feb 2011 (3957326)	Proved	\$3000

33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	09 Nov 2010 (3919969)	Proved	\$5000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	17 Aug 2010 (3835220)	Proved	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	17 Aug 2010 (3835220)	Default	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	11 May 2010 (3740627)	Proved	\$250
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	20 Apr 2010 (3722081)	Proved	\$250
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	06 Feb 2010 (3690386)	Proved	\$1000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	06 Jan 2010 (3681245)	Proved	\$3000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	10 Oct 2009 (3614206)	Proved	\$3000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United	18 Sep 2009 (3600498)	Proved	\$500

	States, adjoining shoreline, or contiguous zone.			
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	20 Jun 2009 (3520188)	Proved	\$1500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	25 May 2009 (3500237)	Proved	\$1000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	11 Feb 2009 (3416350)	Proved	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	02 Feb 2009 (3404186)	Proved	\$250
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	31 Jan 2009 (3404091)	Proved	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	02 Dec 2008 (3378755)	Proved	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	25 Nov 2008 (3374321)	Proved	\$250
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	22 Nov 2008 (3412394)	Proved	\$250
33 USC § 1321(b)(3)	Discharge of oil or a	04 Jun 2008	Proved	\$250

	hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	(3234667)		
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	18 Oct 2007 (3117495)	Proved	\$3000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	04 Oct 2007 (3078720)	Proved	\$1500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	26 Sep 2007 (3076232)	Proved	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	22 Sep 2007 (3070239)	Proved	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	05 Apr 2007 (2954414)	Proved	\$2000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	03 Jan 2007 (2856426)	Proved	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	29 Dec 2006 (2856366)	Proved	\$1500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining	22 Nov 2006 (2841248)	Proved	\$500

	shoreline, or contiguous zone.			
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	08 Nov 2006 (2820423)	Proved	Warning
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	01 Aug 2006 (2738738)	Proved	\$250
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	01 Aug 2006 (2738738)	Default	\$250
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	14 Jun 2006 (2690217)	Proved	Warning
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	12 May 2006 (2649605)	Proved	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	05 May 2006 (2657941)	Proved	\$1000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	15 Nov 2005 (2534958)	Proved	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	15 Nov 2005 (2534958)	Default	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance	02 Nov 2005 (2526923)	Proved	\$500

	into the navigable waters of the United States, adjoining shoreline, or contiguous zone.			
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	24 Jul 2005 (2443109)	Proved	\$3000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	24 Jul 2005 (2443109)	Default	\$3000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	09 Feb 2005 (2300848)	Proved	Warning
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	24 Nov 2004 (2251325)	Proved	\$1000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	26 Sep 2004 (2214877)	Proved	\$1500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	26 Jan 2004 (2038625)	Proved	\$500
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	17 Jul 2003 (1848994)	Proved	\$2000
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or	17 Apr 2003 (1804514)	Proved	\$7500

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	contiguous zone.			
33 USC § 1321(b)(3)	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.	04 Dec 2002 (1798220)	Proved	\$11000

1st Charge	
Law or Regulation Cite	33 USC § 1321(b)(3)
Description	Discharge of oil or a hazardous substance into the navigable waters of the United States, adjoining shoreline, or contiguous zone.
Statutory Authority	33 USC 1321
Max Penalty	\$15000
Recommended Penalty:	\$5000
Date of the Violation	27 Jun 2012
Location	BAYOU CARLIN/Tributary of East Cote Blanche Bay

Details of the Violation

Jurisdictional Elements

PARTY: Owner, Operator, Person in Charge

PLACE: Navigable waters of the US, adjoining shoreline, waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974.

1. HILCORP ENERGY COMPANY is charged as the owner of Bayou Carlin Facility.

Exhibit Label: CG-01

Evidence Desc: Pollution Responder statement made by MST3 Casey, verified and attested to by MST3 Bledsoe

Exhibit Label: CG-09

Evidence Desc: NRC Report # 1016035 made by Troy Simar, field foreman of Hilcorp Energy Company.

2. BAYOU CARLIN/Tributary of East Cote Blanche Bay is a navigable water, adjoining shoreline, or waters of the contiguous zone of the United States; or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974.

Exhibit Label: CG-01

Evidence Desc: Pollution Responder statement made by MST3 Casey, verified and attested to by MST3 Bledsoe

Exhibit Label: CG-02

Evidence Desc: Aerial View of the Bayou Carlin Facility

Exhibit Label: CG-07

Evidence Desc: NRC Report # 1015821 made by an anonymous caller.

Exhibit Label: CG-08

Evidence Desc: NRC Report # 1015976 made by MST3 Bledsoe.

Exhibit Label: CG-09

Evidence Desc: NRC Report # 1016035 made by Troy Simar, field foreman of Hilcorp Energy Company.

Exhibit Label: CG-10

Evidence Desc: Witness Statement made by Bart A. Lance St. Mary Parish Sheriff's Deputy.

Factual Elements

1. There was a discharge of oil or hazardous substance.
2. From a known source.
3. With a known responsible party.
4. Into or upon the navigable waters of the United States.

5. For oil: created a sheen, sludge, film or emulsion; for haz substance: exceeding the RQ.

1. There was a discharge of oil.

Exhibit Label: CG-01

Evidence Desc: Pollution Responder statement made by MST3 Casey, verified and attested to by MST3 Bledsoe

Exhibit Label: CG-03

Evidence Desc: Emulsified crude oil inside of containment boom at the Bayou Carlin Facility.

Exhibit Label: CG-04

Evidence Desc: Rainbow sheen outside of containment boom.

Exhibit Label: CG-06

Evidence Desc: Affected vegetation contained by hard boom behind the facility.

Exhibit Label: CG-07

Evidence Desc: NRC Report # 1015821 made by an anonymous caller.

Exhibit Label: CG-08

Evidence Desc: NRC Report # 1015976 made by MST3 Bledsoe.

Exhibit Label: CG-09

Evidence Desc: NRC Report # 1016035 made by Troy Simar, field foreman of Hilcorp Energy Company.

Exhibit Label: CG-10

Evidence Desc: Witness Statement made by Bart A. Lance St. Mary Parish Sheriff's Deputy.

2. The source of the discharge was Bayou Carlin Facility.

Exhibit Label: CG-01

Evidence Desc: Pollution Responder statement made by MST3 Casey, verified and attested to by MST3 Bledsoe

Exhibit Label: CG-09

Evidence Desc: NRC Report # 1016035 made by Troy Simar, field foreman of Hilcorp Energy Company.

3. HILCORP ENERGY COMPANY was the responsible party.

Exhibit Label: CG-01

Evidence Desc: Pollution Responder statement made by MST3 Casey, verified and attested to by MST3 Bledsoe

Exhibit Label: CG-09

Evidence Desc: NRC Report # 1016035 made by Troy Simar, field foreman of Hilcorp Energy Company.

4. BAYOU CARLIN/Tributary of East Cote Blanche Bay is a navigable water, adjoining shoreline, or contiguous zone of the United States.

Exhibit Label: CG-01

Evidence Desc: Pollution Responder statement made by MST3 Casey, verified and attested to by MST3 Bledsoe

Exhibit Label: CG-02

Evidence Desc: Aerial View of the Bayou Carlin Facility

Exhibit Label: CG-07

Evidence Desc: NRC Report # 1015821 made by an anonymous caller.

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Exhibit Label: CG-08

Evidence Desc: NRC Report # 1015976 made by MST3 Bledsoe.

Exhibit Label: CG-09

Evidence Desc: NRC Report # 1016035 made by Troy Simar, field foreman of Hilcorp Energy Company.

5. The oil created a sheen.

Exhibit Label: CG-01

Evidence Desc: Pollution Responder statement made by MST3 Casey, verified and attested to by MST3 Bledsoe

Exhibit Label: CG-03

Evidence Desc: Emulsified crude oil inside of containment boom at the Bayou Carlin Facility.

Exhibit Label: CG-04

Evidence Desc: Rainbow sheen outside of containment boom.

Exhibit Label: CG-06

Evidence Desc: Affected vegetation contained by hard boom behind the facility.

Exhibit Label: CG-07

Evidence Desc: NRC Report # 1015821 made by an anonymous caller.

Exhibit Label: CG-08

Evidence Desc: NRC Report # 1015976 made by MST3 Bledsoe.

Exhibit Label: CG-09

Evidence Desc: NRC Report # 1016035 made by Troy Simar, field foreman of Hilcorp Energy Company.

Exhibit Label: CG-10

Evidence Desc: Witness Statement made by Bart A. Lance St. Mary Parish Sheriff's Deputy.

Aggravating/Mitigating Factors

1. 1. Gravity - (Minor)
2. Culpability - Hilcorp Energy Company accepted responsibility for the crude oil surrounding their production facility. Facility personnel stated the crude oil was from previously unreported discharges, and was trapped behind a moored barge that when moved caused the crude oil to spread damaging the environment (Major).
3. Estimated Cost of Compliance - \$5,000 for civil penalty as per guidance in COMDTINST 16200.3A, Table 1-D, plus the cost of removal.
4. History of Similar Violations - The Bayou Carlin Facility, according to MISLE, only has one previous violation in which a discharge of crude oil occurred (Case: 265484). The discharge was a result of a hurricane.
5. Demonstrated good faith or lack of good faith - Hilcorp Energy Company demonstrated lack of good faith due to the lack of operational oversight / control over their production facility. Hilcorp Energy Company stated that rounds were made daily to that production facility and although they were aware of the pollution prevention regulations, did not make the proper notifications. The estimated time frame the emulsified crude oil had been surrounding Hilcorp Energy Company's production facility was approximately 1 week, possibly longer.
6. Ability to pay - Hilcorp Energy Company has the financial means to pay the recommended civil penalty.
7. Economic Impact - N/A
8. Other circumstances in aggravation - Hilcorp Energy Company had removed the moored barge from the Bayou Carlin Facility days before the initial NRC report 1015821 was made by an anonymous fisherman who witnessed a sheen in an adjoining bayou. Hilcorp Energy Company stated the failure to notify the NRC was due to a lack of communication between the facility operators and the field foreman. Attempts were made to clean the production facility due to the fact that there were multiple bags of used absorbent pads on the facility found on the initial Coast Guard patrol.

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9. Other circumstances in mitigation - After the fact, Hilcorp Energy Company replaced the tattered boom stationed around their production facility to minimize the effects of future discharges. Without prompting from MSU Morgan City personnel Hilcorp Energy Company hired E.S. & H. to clean up the crude oil under Coast Guard supervision.

10. Other matters as justice may require - N/A

11. Other particular factors required by the violated statute - N/A

2nd Charge	
Law or Regulation Cite	33 CFR 153.203
Description	Failure of person in charge of vessel or facility to immediately notify the NRC of any discharge of oil or a hazardous substance.
Statutory Authority	33 USC 1321(b)(5)
Max Penalty	\$
Recommended Penalty:	\$15000
Date of the Violation	27 Jun 2012
Location	BAYOU CARLIN/Tributary of East Cote Blanche Bay

Details of the Violation

Jurisdictional Elements

PARTY: Is the responsible party subject to this cite?

PLACE: Is the alleged place of occurrence subject to this cite?

ACT: Is the alleged act subject to this cite?

1. HILCORP ENERGY COMPANY is charged as the owner of Bayou Carlin Facility.

Exhibit Label: CG-09

Evidence Desc: NRC Report # 1016035 made by Troy Simar, field foreman of Hilcorp Energy Company.

2. BAYOU CARLIN/Tributary of East Cote Blanche Bay is a navigable waterway of the United States. .

Exhibit Label: CG-01

Evidence Desc: Pollution Responder statement made by MST3 Casey, verified and attested to by MST3 Bledsoe

Exhibit Label: CG-02

Evidence Desc: Aerial View of the Bayou Carlin Facility

Aggravating/Mitigating Factors

1. Gravity - Minor
2. Culpability - Hilcorp Energy Company has accepted responsibility of the discharge via NRC Report #1016035 (Major)
3. Estimated Cost of Compliance - \$15,000 is recommended, as per guidance from COMDTINST 16200.3A table 1-D, for Hilcorp Energy Company's failure to immediately notify the National Response Center of a discharge of oil.
4. History of Similar Violations - The Bayou Carlin Facility currently has no known history of similar violations not making the proper notifications in the event of oil discharge.
5. Demonstrated good faith or lack of good faith - Hilcorp Energy Company has demonstrated lack of good faith by denying the knowledge of an oil discharge, but acknowledging themselves as the responsible party.
6. Ability to pay - N/A
7. Economic impact - N/A
8. Other circumstances in aggravation - While facility representatives denied knowledge of a discharge, they stated there may have been oil trapped between a permanently moored barge and the facility. Hilcorp had removed the barge from the Bayou Carlin Facility days before the initial NRC report (1015821) was made by an anonymous fisherman. Hilcorp stated that daily patrols had been conducted of the unmanned facility. A visible sheen was inside containment boom as well as in the water surrounding the mooring area at the facility. Their failure to notify the NRC of the oil in the water was due to a lack of communication between the facility operators and the foreman.
9. Other circumstances in mitigation - None
10. Other matters as justice may require - None
11. Other particular factors required by the violated statute - None

The Coast Guard has introduced the following exhibits:

1. Exhibit Label: CG-02
Evidence Desc: Aerial View of the Bayou Carlin Facility
Exhibit Desc:
2. Exhibit Label: CG-03
Evidence Desc: Emulsified crude oil inside of containment boom at the Bayou Carlin Facility.
Exhibit Desc:
3. Exhibit Label: CG-04
Evidence Desc: Rainbow sheen outside of containment boom.
Exhibit Desc:
4. Exhibit Label: CG-05
Evidence Desc: Used sorbent material inside facility's roll off box.
Exhibit Desc:
5. Exhibit Label: CG-06
Evidence Desc: Affected vegetation contained by hard boom behind the facility.
Exhibit Desc:
6. Exhibit Label: CG-07
Evidence Desc: NRC Report # 1015821 made by an anonymous caller.
Exhibit Desc:
7. Exhibit Label: CG-08
Evidence Desc: NRC Report # 1015976 made by MST3 Bledsoe.
Exhibit Desc:
8. Exhibit Label: CG-09
Evidence Desc: NRC Report # 1016035 made by Troy Simar, field foreman of Hilcorp Energy Company.
Exhibit Desc:
9. Exhibit Label: CG-10
Evidence Desc: Witness Statement made by Bart A. Lance St. Mary Parish Sheriff's Deputy.
Exhibit Desc:
10. Exhibit Label: CG-01
Evidence Desc: Pollution Responder statement made by MST3 Casey, verified and attested to by MST3 Bledsoe
Exhibit Desc:

On June 27th, 2012 at approximately 1930, the Bayou Carlin Facility, owned and operated by Hilcorp Energy Company, was discovered to have discharged approximately 21 gallons of crude oil, resulting in a sheen on the water's surface. The facility representatives believe the crude oil in the water was attributed to removing a permanently moored barge from the facility, which had previously held the product in place. The original cause of the discharge is unknown.

The product in the water was secured by containment boom, and E. S. and H. was hired by Hilcorp Energy Company to remove the affected vegetation surrounding the facility as well as the recoverable product in the water. Representatives from Hilcorp Energy Company stated they would continue maintenance and repairs as needed to prevent a reoccurrence. The remaining sheen dissipated naturally.

Pollution Witness

//s//Britany M. Casey, MST3//

Verified and attested to by:

Pollution Responder

//s//Evan M. Bledsoe, MST3//

EVIDENCE(01)1-1